

Zakat ul Fitrah and Abandonment of Zakat by Shia Fiqh

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The second issue that is also important after the crescent sighting is also related to the daily affairs of our life. But since we are Muslims of Ramazan we are not concerned on other days as to how we should be delivering our religious affairs. What are the regular, daily religious affairs and how to manage those? These gaps are coming and will keep on coming because of a fundamental deficiency. Some say that we should resolve these issues scientifically which you can try out but the real problem is in the fundamental deficiency. Science cannot take the place of Islamic governance, the astronomers cannot replace religious rulership. The actual gap, deficiency of Islamic governance and all these issues where we are entangled are related to the Islamic ruler. Where there is no Islamic ruler and issues are handed over to ordinary people then such things happen. You can see for school holidays the government decides when school holidays will start but if instead of government we ask the weather department or science as to when the school holidays will begin then these are social subjects and are not of science. These are the topics of governance about the affairs of nation, community and related to people.

The governments are essential to manage these affairs, else there will be chaos and tribalism and every tribe will have their own Eid. In order to prevent this chaos a government is required. Religion has also come with a government. Allah has not sent the religion in dessert whereby it can fit in any system. The governance can be of Taghoot and we can easily fit our religion inside that government is not the case. The first thing which Religion has to do before implementing laws is to make a government and appoint a governor. Then these issues will not come up. In the era of the Holy Prophet (s.a.w.s) there was no issue of crescent sighting because the governance was present. And in any other routine issue of Islam also there were no difficulties. The regular Muslim is in need of religion on daily basis and he wants to live his life under an Islamic governance. When you try to resolve the issue of Islam without an Islamic governance then these issues will happen which is happening.

Imam Baqir (a.s) says when the day of Eid comes the biggest issue and pain for me is on the day of Eid. The day of Eid has come and the Imam is not on his position. For Imam Baqir (a.s) the biggest concern on the day of Eid is about Islamic governance and Islamic leadership but for us a big concern is Fitrah. How much Fitrah we have to give? And what would

be the rate of Fitrah? When there is no Islamic governance and we have to ascertain everything in a tribal way; then we look at moon also in a tribal manner and also establish the amount of Fitrah as well in tribal manner. Who will decide this? The Madrassah's, parties, offices will declare the Fitrah amount. The Zakat of Fitrah is well ordained from before.

Zakat is from the obligatory acts of Islam and amongst the Zakat one of them is Fitrah which is given on the day of Eid. The Zakat of Fitrah means the number of people living in a home, family and under the guardian of the house to whom he feeds in the year, he has to deliver the Zakat of Fitrah of theirs. Like if you have some employees whom you have sponsored for meals as well apart from salaries; like there are those to whom you only pay the salary and not offer anything else like meals or routine needs. Like if you have a driver, gardener, cook to whom you are paying salary and do not give them anything else then their Fitrah is not obligatory on you. There are such servants, employees at home whose all expenses you are paying then their Fitrah is also obligatory on you. If there is some needy to whom you have taken under your sponsorship, or some relative who is staying with you then their Fitrah also has to be given by you. If there is some guest who has visited you before Eid and was under your sponsorship and you were taking care of his needs then his Fitrah also you have to pay. It is essential for him to be under your guardianship means you are taking care of his meals, etc. If you are independent then you will pay your Fitrah but if your father is your guardian then he will pay your Fitrah. Such persons who have no guardian and do not have any earning but instead are under some charity organization; like the poor persons who are supported by others for them Fitrah is not obligatory. Those students whose expenses are not borne by their parents and is taken care off by Hauza on them there is no Fitrah.

The Fitrah should be removed before the Eid prayers and certain Jurists object on paying it after the Eid prayers. In any case you have to pay whether on the Eid day or day after. It is an obligation for life time and obligations do not die with time. If you have not paid the Fitrah for ten years you have to pay that. The sin is on your head but still you have to pay and with passing of time it does not waives off. It is not like the electricity connection which gets cut when you don't pay bill. Here the bill keeps on enhancing and you have to pay all that and the sins are also increasing. If you have not paid any Fitrah in the past then you have to deliver that under the context of "*Radd-e-Mazalim*" (Deterrence of self-aggression). The *Radd-e-Mazalim* are those rights which were due on you but you could not pay for some reason. This has to be paid. If you owed something to someone and you don't also whom, like someone's money has come to you and you don't know to whom it belongs to. These people in offices who take bribe from others; these people should pay this much money as *Radd-e-Mazalim* in the way of Allah so that they don't owe anything.

Another issue that comes up is how much Fitrah has to be given? Generally norm is to give money as per the cost of 3 kg of wheat. This is not correct. The scale of Fitrah is not money. The Fitrah has to be given on "*Koot*", which is the staple food that man eats every day and man survives on that, gets the strength from it. This staple food in Arabic is known as "*Koot*". In traditions it is mentioned that you have to give Fitrah from "*Koot-e-Galib*" (dominating staple food). This means throughout the year the food that you eat most of the time, you have to deliver that or money equivalent to that. Since it has come in traditions certain things on which you have to give Fitrah like wheat, barley, dates, raisins and this is referred to as staple food in traditions. It is true that this was staple food at the time of Prophet (s.a.w.s). The wheat was hardly available to few at that time. Though there was no defense and model town at that time but there was also a high class at that time who were very less, that is less than 5% who would eat wheat. The majority would eat barley and that also was less and mostly the Arabs would eat dates and raisins. This was the actual staple food at that time. Sometimes hardly they would make some pickle along with that. As it was difficult to eat Barley bread they would use something else like some olive oil along with it. They would use these as supplements to support food. The actual food was dates, raisins and barley. Then gradually barley went out of our lives and you might not have even eaten barley bread even once in life. So if you are not eating something then why do you count those as staple food? The people at that time had this as their staple food but not in this era. You are eating something else but want to remove Fitrah on Barley. Then wheat became a staple food and in our culture bread became the staple food. We would refer to food also as eating bread. And along with the bread they would take something else like Yoghurt, tea or pickle but the main part used to be wheat only hence this wheat was staple food.

If you ponder today that food has become categorized into classes. Today people are eating mixed food and no one is eating only bread as the staple food. The easiest way of ascertaining staple food is to refer to your kitchen and calculate

your kitchen expenses. The things that you bring from market, bakery and you know the expenses. There are various classes and their spending are different. There are such families also where there are four members and they spend 1000 dollars per month on kitchen. But when the time comes for Fitrah they will remove 3 Kg of wheat. Was this relevant to your kitchen expense? When you ask them what are your expenses, salary you need? They will say my kitchen expense itself is 1000 USD. What do you eat in 1000 USD? Then you have eaten something expensive. The food which we eat is now mixed, that is things mixed together. Like mixing rice with wheat or making stews which used to be made in wedding ceremonies only before. Today we are eating mixed food and most of the time we are eating meat. We are eating Kebab, Samosa, and Grills but when the time comes for Fitrah we give wheat. We say staple food. The way majority has understood that whatever majority of the people eat in the city that is staple food. But here also in a city majority do not eat only wheat. They think "*Koot-e-Galib*" (majority dominating staple food) is for all, it is not dominating food for people, and it is the food that is dominating staple food on you as an individual. It means the major food that is dominating you or you are eating should be given as Fitrah. This staple food will differ from person to person. No one needs plain white rice these days, they will take it with some meat, stew or something else. Just look at the sweet dishes and other things that you have eaten in Ramazan. Calculate and see how much was your kitchen expenses in Ramazan. If you just make Ramazan as a criterion and see what was the major thing used in your food. There was not something single, but there were mixed things. From that you remove 3 kilo per person.

In Quran Allah has mentioned the scale on what has to be given. It is astonishing on scholars of religion. I am not astonished with Scholars of Facebook as they have nothing to do with religion. This Quran which you use to make draws out of it, Allah has mentioned this with details. In Surah Maida verse no 89, this criterion has been mentioned, though not explicitly for Fitrah but we can understand from here that when Quran uses diet or food as a subject of charity, Kaffara (penalization), Zakat. There are many Zakat's which are not food but something else like gold, silver; there you have a different scale. But wherever you have to compensate something it is referred to from food. Like when you have to give penalty for fasting, you give food. Whether you have left fasting intentionally or due to some genuine reason you have to pay the penalty. If it was for some genuine reason then you have to a "*Mudh*" which is 750 gm of food. Here also they give wheat or flour. From where have you got this wheat or flour? When you are told to give food, where does it say you need to give wheat? If you have left intentionally then there is sin as well as expiation penalty. The expiation penalty is to release one slave, or fast continuously for sixty days or serve sixty needy persons with food. Here also what kind of food you give to needy and what type of food you eat? Religion has kept food as a compensation, penalty for many affairs which you intentionally violate. You are asked to give food as penalty. There is also a philosophy behind this as to why food is kept as a compensation. This is because they have been eating too much and have violated these acts. The main reason is that there is a big majority who is deprived of food. To place food as fine on these violators is to make arrangement of food for others. Since these violators have enough and they are enjoying their lives now they should make arrangement for food of others as fines and penalty. But what should they serve as food. It is not that you are eating Biryani and you serve them butter milk. The Quran has kept a criterion on what has to be given. Though in this verse the matter is related to oath, swearing and if you violate that then there is a penalty for that. Like if you have pledged that if some work of mine might get done I will give or do this, but when his work is done he breaks his pledge and does not do that. The Quran says also what you should pay as compensation. The Quran is for guidance and from these verses we have to take guidance. After such a verse the argument gets accomplished and the scholars of religion should not be in doubts, though the scholars of Facebook are different as they will always be victims of conjectures only. The scholars of religion should remain aware about these facts of guidance from Quran.

I have done the primary explanation of this verse no 89 of Surah Maida whereby many acts man does whose expiation is done with food. There are two things in food; one is quantity and second is the quality which this verse is explaining. This verse is revealed for the expiation of breaking oath but the scale is same. For all those acts which are violation of laws and Allah has said against this give food as expiation then the question is what should be the quantity and quality of that food? This verse has come down to save us from that confusion.

لَا يُؤَاخِذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ وَلَكِنْ يُؤَاخِذُكُمْ بِمَا عَقَدْتُمُ الْأَيْمَانَ ۖ فَكَفَّارَتُهُ إِطْعَامُ عَشْرَةِ مَسَاكِينَ
 مِنْ أَوْسَطِ مَا تُطْعَمُونَ أَوْ كِسْوَتُهُمْ أَوْ تَحْرِيرُ رَقَبَةٍ ۖ فَمَنْ لَمْ يَجِدْ فَصِيَامُ ثَلَاثَةِ أَيَّامٍ ۚ ذَلِكَ كَفَّارَةُ
 أَيْمَانِكُمْ إِذَا حَلَفْتُمْ ۚ وَاحْفَظُوا أَيْمَانَكُمْ ۚ كَذَلِكَ يُبَيِّنُ اللَّهُ لَكُمْ آيَاتِهِ لَعَلَّكُمْ تَشْكُرُونَ {89}

Allah does not call you to account for what is vain in your oaths, but He calls you to account for the making of deliberate oaths; so its expiation is the feeding of ten poor men out of the middling (food) you feed your families with, or their clothing, or the freeing of a neck; but whosoever cannot find (means) then fasting for three days; this is the expiation of your oaths when you swear; and guard your oaths. Thus does Allah make clear to you His communications, that you may be Fateful

Allah says that these absurd oaths which you take every day you will not be accounted for. But for those oaths on which you done some deal, some delivery you have to do against that you will be accounted for. There is an expiation for that in which there is food. This is also an arrangement made to feed those needy who are starving. IF we deliver these expiations then no one will remain hungry. Those who are sick and old and cannot fast they have to give expiation for the fasting. It is not a sin for you to not fast but you have to give food against that. If you have not fasted for thirty days then you should serve food against that. If all those who have not kept fasting because of sickness or age, then those who are intentionally leaving and against that food is to be given to sixty needy. If all these people follow the Quran and serve food then no one would starve in Lahore. In fact the needy will pray for them to not fast so that they can feed them. There are many such places where you have to offer food as expiation or Zakat. The Zakat of Fitrah is also food, but how much and what should be the quality.

In this verse the Quran says that if you break your oath, than you have to give penalty. What is that? You have to feed ten poor person. Like the police has done a fine on you but you don't have to feed the police or the Judge who has issued the statement. This is because the police, judge is not a needy person. The verse than says what kind of food you have to offer? *مِنْ أَوْسَطِ مَا تُطْعَمُونَ أَهْلِيكُمْ* The average of what you are feeding to your families. So is it Wheat, barley, dates, raisins or your left over. The Quran says this is not acceptable. The Quran says you have to offer the average of what you are serving to your families. Then the other penalty is clothing or releasing the prison. And if someone cannot do this then he has to fast for three days and this is the penalty for your breaking of oath.

What can be more clear than this verse by the Quran? Whenever you have been imposed to give food as Zakat, penalty, expiation then Quran is telling what kind of food you have to serve. The Quran says the average of what you are feeding your families. Why average is being mentioned here? This is because at times on certain occasion you eat high quality food. Some eat every two hours. First they bring from outside eat, then go to McDonalds, then they go to eat Ice cream, then go out to eat Fish, then grill and this would happen occasionally. Then sometime you did not even cook at home and ate the left over of yesterday. Both of them should not be given to the needy. You have to serve the average of what you are serving to your families. You remove the bill for your kitchen. When you express your grievances you say that my kitchen expenses are 2000\$ per month, so is this wheat you are eating for this much? You have to give the average.

Since in traditions it is mentioned that staple food is wheat, barley, dates and raisins. In the era of Prophet these were the commonly eaten food. The variance mentioned in this tradition also is clearly stating the class of people. It was not that everyone was eating barley, wheat, dates and raisins every day. It was the various class of people who were eating these different things. One class was eating barley, wheat and one was getting only dates. Whatever was affordable to that class they were asked to give that as Zakat? So today also what you are feeding as average to your families you should feed that only. There is no doubt on these but since we are not reading Quran hence we are confused. Do not learn religion from Facebook and Social Media. Social media is filthy gutter in which there is sacrilege of sanctities of religion; it is a place where all transgressors, corrupt persons have come and are expressing their views about sanctities of religion. You should take guidance from Quran and divine scholars.

The second issue about Fitrah is where you have to give and Quran has expressed various places where you have to give. As per common opinion of scholars the best object of reference for Fee Sabeelallah is the place where there is religious

education being imparted in the way of Allah. This is the best place which scholars say. The best place to give something is Fee Sabeelallah and in Sabeelallah the place where religious education is being imparted.

Since Fitrah is from Zakat and is an established subject of Quran. Khums is also Zakat and just because of the proportion it is referred to as Khums. Today we have this in our minds that Khums and Zakat are two different things. It is not like Salaat and Fasting which are different acts. But Zohr and Maghreb are both Salaat only. Similarly Khums and Zakat are both Zakat and just because of proportion that is $1/5^{\text{th}}$ in Khums it is known as Khums. Khums is also Zakat only.

Zakat is a very important topic and it comes in priority immediately after Salaat. In almost twenty to thirty verses of Quran the mention of Zakat has come but practically if you see Zakat is absolutely abandoned. People have abundant money and wealth and as compared to before it is much before. Like those wealthy persons who were present at the time of Holy Prophet (s.a.w.s) if you gather them all together then today one person would be more wealthier than all of them. At that time their food was wheat, barley, dates and there was no rice on the lands of Mecca and Medina. The Zakat is also like this, what is mentioned is grains stock, flock of animals and gold, silver when they are currency of the country. You should be attentive here. This means they should be Dirham and Dinar. Dirham is silver coin and Dinar is gold coin. Then there is Wheat, Barley and animal livestock that are herds and there is Zakat on these. Today the wealthiest persons do not have wealth in this form. Today no one has gold, silver coins as currency; they have jewellery, biscuits and bricks of gold. There are nations having piles of gold, there are gold mines which are present now. But there is no Zakat on it because this is not currency. At that time the system was agricultural and many were living on agriculture and biggest source of income was from agriculture and herding animals. There was no industry at that time. Someone would incidentally get some treasures hidden somewhere or they were fighting battles and got war booties. They were doing business in agriculture and livestock and were trading in dirham and dinar. This was the entire economy base at that time. Zakat was imposed on these things and a proportion was kept. Now these things are not present because the tribal system has been transformed into civilization. Man came out of tribalism and became civilized.

Then the agricultural society became an industrial society. The form, face, type of wealth has changed. Everything has changed and that thing which is remaining in religion is the law and order of religion. The law and order has been made by Allah but the applicable objects will keep on changing. Like the rides were different at that time which now are cars, planes, ships and trains. You cannot change the law, order but the objects can keep on changing. You cannot preserve the object and with era changing the objects will change. You cannot make people leave cars and make them ride on horses and mules. It is not that a believer is a one who rides on horses and mules. A believer has to use the means of his era. The means of our era is different. Today everything from wealth has changed. The source of wealth has changed, its form, its currency and everything has changed. The sources of wealth was agriculture and livestock has almost ended and confined to a very small segment. This era is of industrialization. Today people have abundant wealth but they have not acquired this from agriculture or livestock; it has either coming from trading or from industrialization. But there is no Zakat on trading and industrialization because there is no mention of these in traditions. This was because these things were not present at that time. The presence of objects in the traditions is not necessary, it is the law and order that should be present. The objects will keep on changing and it has changed. Today when there are notes instead of gold and silver you say that it is not applicable on notes. Why it is not there? When you are changing the law with the change in object then definitely Zakat will not be there.

It is the order of Quran and religion. There are five foundations of religion; two of them are Salaat and Zakat. Whenever there is mention of Salaat there is Zakat. Religion is emphasizing on Zakat and it is the pillar of religion which cannot be removed. The objects on which Zakat was imposed at that time are not present now so this does not mean that Zakat has to be abandoned. There is no Dirham and Dinar but instead of it there are notes and currency. Then today's dirham and dinar are currency as the dealings are done today with those. If today you have industry then this is the source of your wealth. Salaat is meant to establish the system of obedience and worship of Allah and Zakat is established to maintain the system on earth. You can neither abandon Salaat nor Zakat. In Sunnis there is Zakat on everything whereas for Shias some Jurists believe in Zakat on everything whereas majority say Zakat is on those things which are not existing now. What is existing there is no Zakat now. This has created a difficulty in religion. This will weaken and suspend the system of religion and religion cannot be established this way. When you are making those who possess billions dollar capital relieved from

the religious taxation system that it is not applicable to them. Then on whom it is applicable? The one who is having one acre land and few sacks of grains, you want him to pay for Zakat. One who has ten sheep you go and take his sheep?

Whatever I am mentioning is from the status of being a student of Islam and not claiming anything. The actual are the Mujtahid, who have to do research, issue Fatwa and people have to follow them. The students don't issue Fatwa, they only bring issues out. If the teacher has asked the student to do Wudhu, the student will raise a doubt that if there is no water then the teacher presents a solution. The student should point the issue and the scholars should work on that. Some scholars like Martyr Baqir us Sadr had this view that Zakat is on everything. Then late Ayatullah Montazari who was in politics also, where he was suspended for various issues he had. But from the intellectual perspective he had a status and according to him as well Zakat is there on everything. In traditions also it is there. The things on which there is no Zakat the Prophet (s.a) has exempted from those things because those things were very less at that time or either they were in trouble to not give. The big assets were livestock, grain stock and gold, silver at the time of Prophet. The Prophet did not apply Zakat on horses but Ameerul Momineen (a.s) during his Caliphate also applied Zakat on Horses. Since at the time of Prophet the people did not possess horses as it was an expensive ride like Land Cruiser. But at the time of Second caliph when many victories happened in battles now horses became common and instead there were stables of horses. There were thousands of horses in the stables of everyone's horses. Ameerul Momineen (a.s) saw that they have so many horses, hence he applied Zakat on the horses. People were astonished that the Prophet did not apply Zakat on horses. This was because this land cruiser was not present with people at the time of Prophet. They were not so rich to buy horses. They had camels on which Zakat was applied. How many wealthy were there at his time? But Ameerul Momineen (A.s) applied and also collected.

Zakat is not something by choice, it is a persuasive matter of government and government has to take Zakat by force. Whenever there are governmental matters present then what we intend is Islamic governance. You cannot pay Zakat to any ruler. The Imams (a.s) would stop people from giving zakat to oppressors. The Imams were stopping the Shias to not pay zakat to tyrants but Shias stopped paying it to Imams as well. They ignored that condition of tyrants and in absolute sense abandoned Zakat. During the era of Imam Sadiq (a.s) all these livestock, grain stock was present but Imam Sadiq (a.s) said Zakat is applicable on rice as well. This was because now rice was coming from Iran and other places, the Islamic state has expanded and the rice were being cultivated as well by Arabs. Imam (a.s) said that in Medina there was no Rice but for Iraq He (a.s) said the entire tax from Iraq is on rice which was not present at the time of Prophet (s.a.w.s). The role of Faqeeh is to preserve the law.

I have said this on multiple occasions that a major portion of religion, almost 80 to 90% is related to Islamic governance. We can say maximum 20% portion of religion is related to the private life of man and rest all are governmental which means to apply this portion of religion you need a religious ruler. It is like the Eid prayers are obligatory and even Friday prayers are obligatory from the soul of Quran. It is not Wajib-e-Takheeri instead it is Wajib-e-Tayeeni. The Quran says

O you believers, when you listen to the call for Friday prayers, leave your house, work and rush towards the Zikr of Allah.

But we have a Fatwa that this is Wajib-e-Takheeri (delayed obligation). Why this is Wajib-e-Takheeri? This is because the Friday prayers has to be established by the Imam or the Islamic ruler. Since there is no Imam or Ruler of Islamic governance hence remove the obligation from Friday prayer. Here the order is not that you remove obligation of prayers but instead you establish an Islamic state and have an Islamic ruler. Friday prayers, Zakat, Eid prayers are dependent on Islamic governance. Eid prayers are obligatory and the Prophet, Imams have been reciting Eid prayers as Wajib. But this is amongst the authority and rights of Islamic governance. Now since the Islamic governance is not there you have removed the obligation from Eid prayer. The right thing would be to keep the obligation intact for Eid and Friday prayers and at the same time rising for establishing an Islamic governance should have been made as obligatory. The reason for which these elements of religion got suspended you should give order for establishment of those subjects. Similarly the order for Zakat is amongst the rights of governance. To collect, gather and spend zakat is amongst the rights of religion. Since we have ignored, abandoned Hukumat e Islami (Islamic governance) due to Banu Umayyah, then Tahajjur (stagnancy in religion) the outcome was that the religion which remained without governance; the obligations became recommended; Tayeeni

became Takheeri and everything became upside down. In order to bring the religion back into its orbit we need Islamic governance,

In Shiite Islamic governance is very easy irrespective of whether land is there or not. The way Ismaeli's have done it. This is an example in front of us. They don't give Zakat to any government; they are connected to their own system. In Shiite it is very easy but for Ahle Sunnah it is very difficult hence they are not yet successful. They have old movements but not yet successful. In Shiite it is easy but needs attentiveness. The scholars of religion need to become attentive else the way this religion has become a playground for politicians, pulpit mongers, traders, courtyard persons and everything has become a playground. There is only one thing that can save us from all this. Else like our respected teacher would say that if you distance from Islamic government then it would become difficult for you to even prove the beginning and end of month. When Ramazan is beginning and when it is ending also has become a difficulty and complexity. This has happened and the solution for all these is that actual axis of religion around which Allah has established. This has to be established in both situations; where there is land and where there is no land as well then also this system can be established. This system of Zakat, Khums can all become applicable and believers can act upon it.

I am using a seminary terminology of "Shohrat" that is popularity. You should remember these terms as it might be handy for you on Facebook because that is the place where you entangle in religious matters. There are two types of popularities. One are popular traditions or popular verdict (Fatwa). If one tradition has been narrated by many narrators then we say that this tradition has become "Shohrat e Riwayiya" means popular narration. Then in verdicts if some verdict has been given by many Mujtahid's then this is termed as "Shohrat-e-Fatwaiya" means popular verdicts. The popular narrations need to be accepted and are sanctimonious as mentioned by our Imams. For verdicts (Fatwa) as well when certain verdicts become popular then these popular verdicts (Fatwa) also become sanctimonious and sacred amongst believers. This has happened several times. The first host of Shiite for Fiqh is Sheikh Mufeed (r.a) and he is well known and there are many things known for him in Shiite. Then after him the personality who spread out the Shia Fiqh and made its foundations strong and made Shiite rich is Sheikh Jafar Toosi (r.a). The foundation was laid by Sheikh Mufeed who did a fundamental and comprehensive work which was expanded later by Sheikh Toosi. The verdicts which Sheikh Toosi had issued got the status equivalent to the verses (of Quran) and narrations (Riwayat) for the Faqeeh who came later. Now no one was presenting Quranic verses and narrations, they would say Sheikh Toosi has said this. And when the name of Sheikh Toosi would come everyone would become silent and if someone dared to speak against or different from the Fatwa of Sheikh's Fatwa he would be criticized. This was the atmosphere that got established. The verdicts which Sheikh Toosi gave went on for centuries and then the Fuqaha who came later did not dare to investigate that and would just follow it blindly. Then Allah (s.w.t) blessed us with a personality by the name Allama Hilli (r.a) who was from the same family of Sheikh Toosi. He came and saw that there were possibilities and deficiencies in verdicts given by Sheikh Toosi. There was one more relative of Allama Hilli by the name Idris Hilli. These were courageous Fuqaha and gave some verdicts which were away from the verdicts of Sheikh Toosi. They declared that Sheikh Toosi was a great scholar, a Mujtahid and we are also Mujtahid. It does not mean we should accept everything which Sheikh Toosi has said blindly as the words of Imam and Prophet. He has done research and we are also doing research. In every era a new Mujtahid should come and do their research. They did this. Certain things which Sheikh Toosi said were pure, they said are impure and same the other way. A Faqeeh can issue a verdict against another Faqeeh, this is not a problem. At times the big names and popularity of personality dominates a religious scholar. This is what has happened. Since the famous verdict on Zakat is that Zakat is only on these nine things, no one dared to touch this but certain Fuqaha demonstrated the courage like Martyr Sadr and Montazari who said Zakat is general. Though there are popular verdicts available but to do research on these verdicts is not prohibited and is not exit from religion. In fact this is necessary for the survival of religion else Zakat will get wiped off from religion completely. The order is the same only the objects have changed. You move the same order on new objects in context to the order. It is not that with the excuse of object you remove the order and end zakat completely.

As I said before that these points are from a student's perspective and it means that the scholars, elders, teachers, Fuqaha should come forward and resolve these issues. You have practically removed Zakat from the earth. There are piles, hoarding of wealth and the rights of poor, needy is not getting delivered due to these verdicts which have blocked it. There is not a single verse in Quran which is limiting zakat to these nine things. The Quran says: O Prophet! Take Sadaqah from their wealth. There is not a single verse that limits Zakat to these nine things. There are traditions which limit Zakat to nine

things but there are other traditions as well which are applying Zakat to things beyond these nine things. Certain scholars have found a solution; these traditions which are general which applies Zakat on everything; they say that Imams have said this out of Taqaiyya. In Sunni sect since Zakat is general the Imams have also said this out of Taqaiyya. Where is Taqaiyya applicable in elaboration of religion? Where an order is being expressed, an Imam and Prophet can do Taqaiyya when explaining religion? Those traditions where Imams have mentioned zakat on many things and generalized it we have left it by considering them as invalid being delivered out of Taqaiyya by Imams. Thus in verses there is generalization and in traditions the same and even the intellect testifies the same. But one thing very strong comes up in front and that is the Fatwa of popular Fuqaha. It is the big wall which no one is ready to overcome. IF Allah gives the Taufeeq, and gives the Mujtahid health, safety and grants blessings in their existence. More scholars, Fuqaha should be born who put their efforts to implement religion on this earth. And this religion which has gone in the hands of committees, May Allah protect his religion through these righteous Fuqaha and Scholars.

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